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TIMOTHY CARUSO,  
Plaintiff,  
v.  
JOHN DOE,  
Defendant.

Case No. 24-cv-06275-WHO (PR)

**ORDER OF DISMISSAL**

Plaintiff Timothy Caruso has not responded to the Clerk's Notices to file a complaint and a motion to proceed in forma pauperis (or pay the filing fee), which were sent to him after he filed requests for a subpoena. Accordingly, this federal civil rights action is DISMISSED (without prejudice) for failing to comply with the Clerk's Notices and for failing to prosecute, *see* Federal Rule of Civil Procedure 41(b).

Because this dismissal is without prejudice, Caruso may move to reopen. Any such motion must (i) have the words MOTION TO REOPEN written on the first page; (ii) contain a complaint on this Court's form; and (iii) contain a complete application to proceed in forma pauperis or full payment for the \$402.00 filing fee.

The Clerk shall enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

**Dated:** October 24, 2024

  
WILLIAM H. ORRICK  
United States District Judge